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Syria	MD1
Israel	MF1
Jordan	MG1
Iraq	MH1
Lebanon	ME1

/For an account of the political regime, social stratification, and Westernizing of administration under the British and French Mandates following the First World War, see 66: Bonné, M1 Middle East, category 116, pp. 88-101./

MUNICIPAL GOVERNMENT IN THE LEBANON

I. THE GENERAL MUNICIPAL CODE

The history of municipal government in the Republic of Lebanon goes back only to the Ottoman Municipal Law of 1877[1] which was largely based upon the Code Napoleon. The transition to the new municipal code promulgated in 1922 after the establishment of the French mandatory regime was comparatively simple. The general framework remains much the same with minor differences in procedure, particularly in the degree of centralization.

With only 120 incorporated municipalities among the 1300 odd towns and villages of Lebanon and with only eight of these with a population of more than ten thousand, no very elaborate code is required. The only large city, the capital, Beirut, with a population of 130,000, like the capital of France, is organized under a separate law. All the other municipalities of Lebanon are chartered under *Arrêté* No. 1208 of March 10, 1922[2] while the hundreds of unincorporated villages are governed through the *mukhtirs* under the *Loi des Moukhtars* of January 14, 1930.[3]

Municipal affairs are supervised and controlled by the national government through the Ministry of the Interior by means of its administrative officers in the various levels of local government. The Republic is divided into five principal administrative districts, each headed by an appointed administrator (*mutasarrifs*). The districts are in turn sub-divided into eighteen *kadas* each under the administrative control of an appointed *kaimmakam*.[4] Through French counsellors attached to the more important administrative posts the entire system is brought under the directing authority of the French High Commissioner.[5] All these officials exercise a constant and vigilant surveillance over the municipalities within their jurisdiction with powers even more extensive than those of the prefects in France, thus bringing municipal government well within the highly centralized system of national government.

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1. George Young, *Corps de Droit Ottoman*, (The Clarendon Press, Oxford, 1905), Vol. I, p. 68.

2. Recueil des Arrêtés et Décisions du Grand Liban, 1920–1933, (Imprimerie des Lettres, Beyrouth, 1933), p. 262.

3. Journal Officiel de la République Libanaise, (Imprimerie des Lettres, Beyrouth), No. F. 408, p. 4.

4. [illegible] *loc. cit.* No. F. 370, p. 1. Formerly the Lebanon was divided into 11 *mutasarrifs* (districts).

5. All decisions and orders of the Administrator must be visaed by the French counsellor. *Arrêté* No. 1208, Art. 68.

[illegible]

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Bishara al-Khouri, became President with the pan-Arab Riyad as-Solh as Prime Minister; these nationalists were not satisfied with mere titular sovereignty but claimed the reality of independence, and in November 1943 a Free French resort to force against them was reversed only by a British intervention, endorsed by the United States Government. The Free French were thus constrained to transfer most branches of the administration to the Syrian and Lebanese Parliaments, but retained control of the local 'Troupes Spéciales' and obstructed the proper equipping of the Syrian gendarmerie. The French intention was to make this vital concession of authority conditional upon the conclusion of a Franco-Syrian treaty which would give France much the same strategic, economic, and cultural advantages as Britain had retained in Iraq by the already obsolescent Treaty of 1930. In March 1945 Syria and Lebanon had been admitted as sovereign states to membership both of the United Nations and of the League of Arab States. The Syrian nationalists were not prepared to subordinate their sovereignty to an imposed alliance with France, and the landing of a contingent of Senegalese troops immediately after VE-day (in disregard of a personal appeal of Churchill to de Gaulle) was regarded in both Syria and Lebanon as clear evidence of a French resort to coercion. Sporadic outbreaks of violence between the Syrian gendarmerie and the local nationalists on the one hand and the French garrison on the other became general, and when, at the end of May 1945, the local French Commander carried out a bombardment of Damascus the British Government ordered their Commander-in-Chief, Middle East, to intervene, by force if necessary, to restore order in a region whose security was vital for British communications in the still-continuing war in the Far East. The crisis accelerated the complete withdrawal of all foreign troops, concerning which the demands of the Syrian and Lebanese Governments were supported by the Security Council; the process was completed in Syria by 15 April 1946 and in Lebanon by the end of the year.

Between the wars, the French Mandate had allowed political development in Lebanon to produce at least a façade of parliamentary democracy, with arrangements between the Muslim and Christian leaders on the division of political power and perquisites, and the active commercial and intellectual life of Lebanon made progress with a minimum of government interference. In Syria, however, local separatisms which French policy had encouraged made it very difficult for any Syrian Government to knit the people together from Damascus; the

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foundations for commercial and intellectual progress were less firmly established than in Lebanon, and the Muslim leaders of the political parties were given little opportunity to acquire the technique of government. The root of the trouble was that the French were opposed to self-government and tended to refuse office to nationalist political leaders, except for short, self-defeating periods. But though they failed to foster self-government, the French did much good in both Syria and Lebanon as engineers, doctors, educators, and archaeologists, and performed a valuable service in training at least a cadre of competent civil servants.

With the end of the French Mandate there emerged two sovereign and independent Republics with many mutual and some conflicting interests. For some years the rest of the world failed to distinguish between the two, and it is still possible to find educated persons who suppose that Beirut is the capital of Syria. Syria and Lebanon are, to some extent, mutually dependent or complementary, but they are distinct and their political development will be considered separately.

Government and Politics

(a) Syria

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Under her constitution Syria is a Republic in which the legislative power is in the hands of a Chamber of Deputies numbering 114 members in 1949. The deputies are elected by direct suffrage granted to all men and to women of a certain educational standard. The representation of religious minorities is shown in the table on p. 466 above. The President of the Republic must be a Muslim and is elected for a term of five years by the Parliament; he nominates the Prime Minister who appoints his cabinet ministers. The Parliament is elected for four years but may be dissolved by the President. The constitution was suspended in 1952 by the military dictatorship and a new one on the Presidential model adopted in July 1953.

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Damascus is the seat of government and there are ten provinces, each under a Governor who is assisted by a staff of civil servants representing most of the ministries. The provinces (*muhafazat*) are divided in *qadas*, each under a *qaimaqam*, who is a civil servant under the Ministry of Interior; the *qadas* are divided into *nahiyas* under *mudirs*. Within a *nahiya* may be several villages, each of which is rather loosely under the control of the *mukhtar* who may be elected by the village or appointed by the ministry. The judiciary are independent of the legislature and

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1952 and he has obvious affinities with General Neguib of Egypt whom he visited later in the year.

The threat of Zionism is considered very real in Syria and Shishakli has declared that Syria has not given up hope of a revision of the present position. Between March and May 1951 a flare-up over Lake Hulch brought an offer of Iraqi aid to Syria, but hostilities between Syria and Israel were localized and stifled without leading to a general outbreak of war. All Syrians wish Israel ill; fear of Israeli expansion remains and is fostered by the Government.

In internal politics, the most progressive measures which have yet been considered are land reform and the partition of state lands. There is little unrest among the people, who generally want to live their lives without undue government interference. Nationalism of two kinds exists: a nascent patriotism that has for the first time the support of the rulers, and a narrow xenophobia that, while less extreme than in Egypt, is more pronounced in Syria than in Lebanon.

(*b*) Lebanon

Lebanon is a republic of which the Chamber of Deputies was till 1953 elected by direct manhood suffrage but in that year women were permitted to vote in the election. By convention, the President of the Republic must be a Christian and is normally a Maronite, the Prime Minister must be a Sunni Muslim and the President of the Chamber a Shii Muslim. The table on p. 466 above shows the division of parliamentary seats between the religious sects; a scrupulous observance of these quotas is evident even in the civil service establishments. The existence of a Christian majority is held to be essential for the survival of Lebanon as a separate state and so, in June 1950, it was found convenient to extend the franchise to Lebanese abroad (of whom the majority are Christian) and to increase the number of deputies from 55 to 77, but in November 1952, under a new electoral law, the number was reduced to 44. The Muslim rate of natural increase is higher than that of the Christians and it is probably for this reason that no census has been taken since. In other ways the constitution and administration are similar to those of Syria already described.

Internal Politics

As in Syria, a European type of political party system has not yet evolved and the struggle has been not only between different cliques of ruling families backed by great commercial wealth, but also between these rich groups on the one hand and

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made a determined effort to modernize and strengthen their Empire. Two aspects of this effort are of interest here:

(i) The attempt of Abdul-Hamid II to create a new basis of loyalty to the Imam by reviving the Ottoman claim to the Caliphate. Largely this was undertaken as propaganda for external use, to frighten Europe with the threat of a union of Islamic nations under a single head. Partly also, however, it was an attempt to create for the dynasty a place in the hearts of its subjects, in an age in which the dynastic principle was growing weaker. But it was only its orthodox Moslem subjects who could share in this new loyalty; in an Empire based upon Pan-Islamism and the Caliphate there would be no place for Christians, Jews or even heterodox Moslems who rejected the doctrine of the Caliphate.

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(ii) The Sultans tried to 'conquer their Empire': to turn it from a group of loosely connected local, racial and religious units into a military and highly centralised state. The means to this end were various: the abolition of feudalism, the creation of an elaborate bureaucracy and provincial administration, the improvement of communications. Among the tasks which were undertaken, an attempt was made to break down the immemorial local autonomies. The feudal and tribal system of the Kurds was gradually broken down from the early decades of the century onwards. On several occasions Kurdish revolts in defence of their autonomy had to be crushed; the last important uprising was that of Badr Khan Bey in the eighteen-forties. The Turcoman and Alawi principalities were subdued in the same way in the middle of the century. Towards the century's close, several attempts were made to establish the Imperial authority over Jebel Druze, but with little effective success in spite of the formal submission of the Druzes.

Lebanese Autonomy

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In one instance, however, the new policy of destroying the autonomies was a complete failure. In the nineteenth century the autonomy of Lebanon, far from being destroyed, was strengthened and formalized.

The sectarian character of Lebanon, its desire for autonomy, and its organization under feudal lords and spiritual hierarchies were already well established when the Ottoman Sultans conquered Syria. Although the Mountain recognized the suzerainty

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of the Sultan, it preserved its autonomy under hereditary Amirs who paid tribute to the Porte. And although it was frequently afflicted with civil wars, local tyrants and anarchy, it was rarely if ever torn by sectarian strife, until the period of the Shihab Amirs in the eighteenth and nineteenth centuries. It was then that the rivalry appeared between Maronites and Druzes, which grew throughout the reign of the great Amir Bashir (1788–1841), and culminated in the disturbances of 1845 and 1860.

This rivalry was no doubt fed and embittered by religious differences, but its causes were mainly political and social. In part they were external to the life of the Mountain: the general unrest caused by Ibrahim Pasha's invasion of Syria; the international rivalry between France, which supported the Maronites, and Great Britain, which supported the Druzes; and the desire of the Ottoman authorities to weaken the autonomy of the Mountain by destroying the tradition of religious tolerance on which it rested. But there were also causes in the Mountain itself. There was growing unrest among the Maronite peasants against their feudal landlords, both Maronite and Druze; this showed itself in North Lebanon in the agrarian revolution of 1857 and the establishment of a short-lived agrarian republic. More important still, there was a gradual shift in the balance of the population: the Maronites were spreading southwards into regions which had formerly been chiefly Druze; the Druzes were emigrating to the Hauran, and those who were left feared for their predominance.

In 1860, as the climax of a long period of unrest and growing hatred, the Druzes of the Mountain and the Moslems of Damascus killed some thousands of the local Christians. The Powers intervened, and the result of their intervention was the formalization of Lebanese autonomy in the Statute of 1861. This Statute (which was amended and definitively promulgated in 1864) made Lebanon into a self-governing Sanjaq, the territory of which included the Mountain but excluded the larger coastal towns. It was ruled by a Christian governor, appointed by the Sublime Porte and assisted by an administrative council representative of the sects. The Sanjaq had its own fiscal system, its own judiciary and its own gendarmerie. The Ottoman authorities had practically no control over its administration.

The system established in 1861 remained in force with no essential change until the outbreak of the Great War, when the

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Turks abolished the self-government of the Sanjaq and subjected it to a regime of repression and starvation. But during the half-century of autonomy, Lebanon enjoyed freedom from civil strife and from Turkish oppression.

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The Egyptian Government

In Egypt the line of political development was different. Under Muhammad Ali and his successors the country became even more free of control from Stamboul than it had been before. Their rule was comparatively favourable for the minorities. There was a gradual shift from the concept of theocracy to that of a nationalism which could include Copts as well as Moslems: and the Copts continued, as before, to hold many positions in the Government. The rulers welcomed foreigners who wished to live and work in the country; Armenians, Syrians and others found an official career open to their talents, and vast opportunities in the commercial and financial life of the country. The dynasty was receptive to Western culture, and under its aegis a veneer of Western ideas and refinement spread over the upper classes at least, but the enlightenment was much less profound than it seemed, and beneath the surface Islamic feeling and hatred of the Christian West continued to be strong.

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When the British occupied Egypt, they carried further certain tendencies begun by the dynasty of Muhammad Ali. They ensured greater freedom of religious thought and expression, greater equality before the law (although still far from complete equality). They opened the country still wider to foreigners, and they made full use of Eastern Christians as government officials; for example Syrian Christians in both the Egyptian and Sudanese Governments, and a small but important group of Armenians, of whom the most famous was Nubar Pasha. But contrary to what might have been expected, they neither attempted to use the Copts as instruments of government nor gave them in any way a privileged position. Individual Copts co-operated with the British, like Butrus Pasha Ghali, but in general there were fewer Coptic officials under the British than there had been in previous periods.

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The Rise of Nationalism in the Ottoman Empire

In the second half of the nineteenth century there appeared a new factor, destined to have great effects, for better or for worse,

20: Hourani 5-6 (1946) 1947 M1 Middle East
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648 Republic. At the same time, however, an attempt was made to
563 keep the other sects hopeful and satisfied enough to prevent them trying to break up the Republic. This was done by the careful distribution of posts, large and small, among members of the different sects, and by the encouragement of Lebanese particularist feeling.

Sectarianism in Politics

In a country divided so fundamentally and in so many different ways, it has not been possible to create any genuine sense of solidarity. From its beginning, at least until 1943, the Lebanese Republic was only held together by the control and constant intervention of France; within the framework provided by that control, sectarian feeling maintained and even increased its strength.

642 The Constitution of the Lebanese Republic, promulgated in
563 1926, provided for a political organization which should take
641 into account the sectarian divisions of the country. It laid down two principles. The first was that all Lebanese citizens were equal before law, possessed of the same rights and duties, and equally admissible to all public offices, without any distinction (Articles 7 and 12). The other was that, at least provisionally, the confessions should be equitably represented in public offices and in the Ministry, in so far as that did not detract from the welfare of the State (Article 95).

All parts of the political organization of the State show the influence of these principles. Thus the President of the Republic has always been a Christian. To counterbalance this, the Prime Minister has usually been a Sunni Moslem, and the other Ministries have been distributed among the confessions. The Chamber of Deputies, during periods when it has been functioning, has been so composed as to represent the confessions roughly in proportion to their numerical strength; deputies have been elected by their co-religionists, organized for the purpose on a confessional as well as a geographical basis.

In matters of appointments and promotions in the public service, the equitable representation of the sects is a more important consideration than merit, in the minds not only of those who make appointments but also of the public, and more especially of the leaders of the different communities, who watch closely to see that the balance is not overturned.

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CHAPTER V

COTTON IN LEBANON

Lebanon is the smallest, the most cosmopolitan, and one of the most progressive countries in the Middle East. Beirut, the capital, is a modern, pleasant summer resort, whose shops are known over the world. Probably this contact with the world through Beirut explains the strong Western influence in the country.

But Beirut is not Lebanon, and tourism and commerce still are minor aspects of the economy, which still is primarily agricultural. The country as a whole has not modernized as much as the cities. The farmers are much more provincial.

BACKGROUND

The country has limited resources. The total area is less than 4,000 square miles, a third the size of Maryland, and most of it is mountainous. The crop land is limited to the narrow coastal plain which averages only four miles in width, and to the numerous fairly small valleys in the mountains.

Lebanon always has had a great many more people than its agriculture can sustain. In the past this pressure was relieved by emigration, but restrictions of the past 25 years, at home and abroad, have checked the exodus and intensified the problem. The population is now about 1.2 million.

Progress has been encouraged by the government which is admittedly one of the most stable in the Middle East, despite its lack of experience. Lebanon became an independent Republic only in 1943, after the French mandate was ended. It has been remarkably independent and practical and has not allowed itself to become embroiled in nationalistic issues as many of the other Arab states have.

INDUSTRY

With few exceptions, industries are small and devoted chiefly to the production of light consumer goods such as matches, rubber goods, soap, furniture, cigarettes, beer, macaroni, biscuits, and olive oil. The two chief basic industries are the Iraq Petroleum Company's Tripoli topping plant and the Chekka cement factory. Other basic manufacturing plants include cotton textiles, glass, and sole leather.

AGRICULTURE

Roughly a third of the tilled land is devoted to cereals and the balance to a wide variety of crops—fruit trees, vineyards, vegetables, and a number of industrial crops including cotton. Approximately 15 per cent of this area is left fallow each year.

The western plains receive 20 to 35 inches of rainfall a year, and that only during the winter months. Because of the dry summers, a few of the crops

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CONSTITUTION OF THE LEBANESE REPUBLIC, PROMULGATED ON MAY 23, 1926; AS AMENDED BY THE CONSTITUTIONAL LAWS OF OCTOBER 17, 1927, MAY 8, 1929, NOVEMBER 9 AND DECEMBER 7, 1943, AND JANUARY 21, 1947[1]

PART I

FUNDAMENTAL PROVISIONS

CHAPTER I—THE STATE AND THE TERRITORY

Art. 1 *(as amended November 9, 1943).* Lebanon is an independent, unitary, sovereign state. Its frontiers are formed by the present boundary line: *North*—From the mouth of An Nahr El Kabir along a line following its course to a point of its confluence with Wadi Khalid its tributary at the height of Jisr El Qamar. *East*—The summit line separating Wadi Khalid from Wadi El Assi (Orontes) and crossing the villages of Muaissara, Harbi'ana, Heit, Abbish, Fissan, to the height of the two villages Brifa and Matriba; this line follows the northern boundaries of the Caza of Baalbeck in a northwesterly and southeasterly direction, thence along the eastern

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[1] English text of all articles not modified after 1929 in League of Nations, *Constitution of the Lebanese Republic*, Promulgated on May 23, 1926, as Amended by the Constitutional Laws of October 17, 1927, and May 8, 1929, Geneva, 1930 (C.352.1930.VI) (C.P.M. 1075.), pp. 4-13. English text of articles modified after 1929 based on the translation prepared by Captain Lawrence J. Evans, Jr., United States Army, Beirut. The valuable suggestions of Mr. M. F. Abcarius, Professor in the American University of Beirut, for the establishment of a correct text, and the help of Captain Evans in providing his translation and pertinent information are gratefully acknowledged.

The Constitution of 1926 was superseded on May 9, 1932, and dictatorial powers were given to the President of the Republic. On January 2, 1934, an amended constitution was promulgated by the French High Commissioner which remained in force with slight amendments until January 4, 1937, when the Constitution of 1926, with amendments as reproduced below, was restored. The modifications contained in the Constitutional Law of November 9, 1943, constitute repeals of all references to the Mandate, the League of Nations, and the French Republic as the mandatory power. The sole article of the Constitutional Law of December 7, 1943, modified article 5 concerning the Lebanese flag. The Constitutional Law of January 21, 1947, abolished the provisions according to which a certain number of members of the Chamber of Deputies were not elected but appointed, and contains other modifications of minor importance. Note also the Provisional Constitutional Law of May 22, 1948, printed below, p. 306.—ED.

57:Davis S-4 (no date) 1953 MI Middle East
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642 boundaries of the Casas of Baalbeck, Baqa, Hasbaya and Rashaya. *South*—The southern boundaries of the Casas of Sour (Tyre) and Mardjayoun. *West*—The Mediterranean Sea.

Art. 2. No part of Lebanese territory may be alienated or ceded.

Art. 3. The boundaries of the administrative areas may not be altered except by law.

Art. 4. The Grand Lebanon is a Republic; its Capital is Beirut.

Art. 5 *(as amended December 7, 1943)*. The Lebanese flag is made of red, white, and red horizontal stripes, with the cedar in green in the center of the white stripe. The size of the white stripe is equal to the size of the two red stripes together. The cedar is in the middle, its apex touching the upper red stripe and its base touching the lower red stripe. The size of the cedar shall be equal to one third of the size of the white stripe.

CHAPTER II—THE LEBANESE AND THE RIGHTS AND OBLIGATIONS OF THE LEBANESE

642 641 Art. 6. Lebanese nationality and the manner in which it is acquired, retained and lost shall be determined in accordance with the law.

Art. 7. All Lebanese shall be equal in the eyes of the law. They shall enjoy civil and political rights and shall also be liable to public charges and obligations without any distinction whatsoever being made.

Art. 8. Personal freedom shall be guaranteed and protected. No person may be arrested or kept in custody except in accordance with the law. No offence may be established and no penalty imposed except by law.

Art. 9. There shall be complete freedom of conscience. While acknowledging the Most High, the Government shall respect all creeds and safeguard and protect the free exercise of all forms of worship on condition that public order is not interfered with. It also guarantees that the personal status and religious interests of the populations, to whatever creed they belong, shall be respected.

Art. 10. There shall be no interference with public instruction as long as it is not contrary to public order and morals and does not affect the dignity of the various creeds. The communities shall be

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entitled to maintain their own schools, provided that they conform to the general requirements relating to public instruction laid down by the State.

Art. 11 *(as amended November 9, 1943)*. Arabic shall be the official national language. The cases in which French is to be used shall be determined by a special law.

Art. 12. All forms of public employment shall also be open to all Lebanese citizens in accordance with the conditions laid down by law, preference being given solely to merit and capacity. The conditions applicable to State officials shall be embodied in a special Statute, according to the department to which they belong.

Art. 13. Freedom of speech and of writing, the freedom of the Press, freedom to assemble together and freedom of association shall be guaranteed within the limits laid down by the law.

Art. 14. Dwellings shall be inviolable. No one may enter therein except in the circumstances and in the manner prescribed by law.

Art. 15. Rights of ownership shall be protected by law. No person may be expropriated except on grounds of public utility in the circumstances defined by law and on condition that fair compensation is paid beforehand.

Part II

Public Powers

Chapter I—General Provisions

Art. 16 *(as amended October 17, 1927)*. The legislative power shall be exercised by a single Assembly: the Chamber of Deputies.

Art. 17. The executive power shall be entrusted to the President of the Republic, by whom it shall be exercised with the assistance of the Ministers, under the conditions laid down in the present Constitution.

Art. 18. *(as amended October 17, 1927)*. The right to introduce laws shall be vested in the President of the Republic and the Chamber of Deputies.

Art. 19 *(as amended October 17, 1927)*. Before a law can be promulgated, it must be adopted by the Chamber.

Art. 20 The judicial power, functioning within the limits of a Statute established by law and affording the necessary guarantees to

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642 the judges and the persons amenable to their jurisdiction, shall be exercised by the courts of various classes and degrees. The limits of the judges' powers, the conditions governing the exercise of those powers and the irremovability of judges shall be fixed by law. Judges shall be independent in the exercise of their functions. The decisions and judgments of all courts shall be rendered and executed in the name of the Lebanese people.

Art. 21. Every Lebanese citizen who has completed his twenty-first year and fulfils the conditions laid down by the electoral law shall be an elector.

CHAPTER II—THE LEGISLATIVE POWER

642 Art. 22 *(abrogated October 17, 1927).*

646 Art. 23 *(abrogated October 17, 1927).*

Art. 24 *(as amended October 17, 1927, and January 21, 1947).* The Chamber of Deputies shall consist of elected members. Their number and the manner of election shall be determined by the electoral laws in force.

Art. 25 *(as amended January 21, 1947).* Should the Chamber of Deputies be dissolved, the instrument ordering dissolution must call upon the electors to take part in new elections, which must be held in accordance with Article 24 and within a period not exceeding three months.

CHAPTER III—PROVISIONS RELATING TO THE CHAMBER

Art. 26 *(as amended October 17, 1927).* The Chamber and the Executive Power shall sit at Beirut.

Art. 27 *(as amended October 17, 1927, and January 21, 1947).* A member of the Chamber shall be deemed to represent the whole nation. No binding mandate may be imposed upon him by his electors.

Art. 28 *(as amended October 17, 1927, and May 8, 1929).* A Deputy may also at the same time discharge the functions of Minister. Ministers may be selected either from among the members of the Chamber or from persons outside the Chamber.

Art. 29 *(as amended October 17, 1927).* The cases in which persons are disqualified from becoming Deputies shall be determined by law.

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Art. 30 *(as amended January 21, 1947).* The Chamber of Deputies shall alone be competent to decide on the validity of the mandate of members. No mandate may be invalidated except by a majority of two-thirds of the votes of the whole Assembly.

Art. 31 *(as amended October 17, 1927).* Meetings of the Chamber outside the period of session fixed by law shall be unlawful and *ipso facto* null and void.

Art. 32 *(as amended October 17, 1927).* The Chamber shall hold two ordinary sessions each year. The first shall open on the first Tuesday following March 15th and shall terminate at the end of the month of May. The second shall open on the first Tuesday following October 15th. It shall be primarily devoted to the discussion and adoption of the budget. It shall last until the end of the year.

Art. 33 *(as amended October 17, 1927).* The ordinary sessions shall begin and end automatically on the dates fixed in Article 32.

The President of the Republic may convene the Chamber in extraordinary session. The date of the opening and termination of extraordinary sessions shall be fixed by Decree.

The agenda shall be fixed in the Decree summoning the Chamber to assemble.

The President of the Republic shall be required to summon the Chamber of Deputies to assemble at the request of an absolute majority of its lawful members.

Art. 34 *(as amended October 17, 1927).* The Chamber shall not be validly constituted unless the majority of its lawful members are present.

Decisions shall be taken by a majority vote. Should the votes be equal, the question under discussion shall be rejected.

Art. 35 *(as amended October 17, 1927).* The discussions of the Chamber shall be public. Nevertheless, at the request of the Government or of five of its members, the Chamber shall meet in private. It shall decide later whether the discussion on the same question is to be continued in public.

Art. 36. Votes shall be given verbally or by the members rising or remaining in their seats, except in the case of elections, when a secret vote shall be taken. In the case of all draft laws and when

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646 the question of confidence is raised, the vote shall always be taken by
642 roll-call and verbally.

Art. 37 *(as amended October 17, 1927, and May 8, 1929).* Every Deputy is fully entitled during ordinary and extraordinary sessions to call upon Ministers to justify their action.

A proposal of this kind may not be discussed and voted upon until at least five days after it is submitted to the Assembly and communicated to the Minister or Ministers concerned.

Art. 38 *(as amended October 17, 1927).* No bill which has been rejected by the Chamber may be re-introduced during the same session.

Art. 39 *(as amended October 17, 1927).* No member of the Chamber may be prosecuted or steps taken for his arrest in respect of opinions expressed or votes given by him during the term of his mandate.

Art. 40 *(as amended October 17, 1927).* During the session, no member of the Chamber may be prosecuted or arrested for a criminal offence without the authorization of the Chamber, unless he is taken in the act.

Art. 41 *(as amended October 17, 1927, and January 21, 1947).* In the event of a vacancy occurring in the Chamber, the seat shall be filled within two months. The new member's term of office shall terminate with the expiry of his predecessor's term of office. The vacancy shall not be filled if the mandate of the Chamber has less than six months to run.

Art. 42 *(as amended October 17, 1927).* General elections for the renewal of the Assembly and the designation of appointed Deputies shall take place within the sixty days preceding the expiry of their mandate.

Art. 43 *(as amended October 17, 1927).* The Chamber shall draw up its own rules of procedure.

Art. 44 *(as amended October 17, 1927, and January 21, 1947).* Every time a new Chamber is elected and at the opening of the October session, the Chamber, under the presidency of its oldest member, the two youngest members acting as secretaries, shall elect separately, by secret ballot and by an absolute majority of the votes cast, a President, Vice-President and two Secretaries. At the third

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ballot, a relative majority shall be sufficient. Should the votes be equal, the oldest candidates shall be elected. §45

Art. 45 *(as amended October 17, 1927)*. Members of the Chamber shall only vote if they are present at the meeting; voting by proxy shall not be allowed.

Art. 46 *(as amended October 17, 1927)*. The Chamber alone has the right to maintain order at its meetings through its President.

Art. 47. *(as amended October 17, 1927)*. All petitions to the Chamber must be made and submitted in writing. They may not be presented in person or at the bar of the Chamber.

Art. 48. *(as amended October 17, 1927)*. The remuneration of members of the Chamber shall be determined by law.

CHAPTER IV—THE EXECUTIVE POWER

Art. 49 *(as amended October 17, 1927, May 8, 1929, and January 21, 1947)*. The Chamber of Deputies shall elect the President of the Republic by secret ballot and by a two-thirds majority of the votes. After the first ballot, an absolute majority shall be sufficient. The President shall be elected for a term of six years.[1] He may be re-elected only after an interval of six years. No person shall be eligible for the office of President of the Republic unless he fulfils the conditions of eligibility for the Chamber of Deputies. §43 §43

Art. 50. Before assuming office, the President of the Republic shall take an oath of fidelity before Parliament to the Lebanese Nation and the Constitution, in the following terms:

"I swear by Almighty God to observe the Constitution and laws of the Lebanese People and to maintain the independence of the Lebanon and its territorial integrity."

Art. 51 *(as amended October 17, 1927)*. The President of the Republic shall promulgate laws after they have been adopted by the Chamber. He shall supervise their execution and for that purpose he shall have the power to issue regulations, but not to modify the actual laws or set aside their provisions.

He shall have the right to pardon. Amnesties may not be granted except by law.

Art. 52 *(as amended October 17, 1927, and November 9, 1943)*. The President of the Republic shall negotiate and ratify treaties. He

[1] See the Provisional Constitutional Law of May 21, 1926, art. 1 (p. 308 below).—Ed.

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shall bring them to the knowledge of the Chamber as soon as the interest and safety of the State permit.

Treaties involving a charge upon the finances of the State, commercial treaties and, in general, treaties which cannot be denounced at the expiry of each year shall not be definitive until they have been adopted by the Chamber.

Art. 53 (as amended October 17, 1927, and January 11, 1947). The President of the Republic shall appoint and dismiss Ministers, from among whom he shall select a Prime Minister; he shall make all appointments in regard to which the method of appointment is not otherwise determined by law; he shall preside over national ceremonies.

Art. 54. Every instrument issued by the President of the Republic, with the exception of those relating to the appointment and dismissal of Ministers, must be countersigned by the Minister or Ministers concerned.

Art. 55 (as amended October 17, 1927, and May 8, 1929). With the approval of the Cabinet, the President may by Decree, the reasons being specified, dissolve the Chamber of Deputies before the legal expiry of its mandate.

In that case, the electoral bodies shall meet as provided for in Article 25, and the new Chamber shall be convened within fifteen days after the results of the elections have been proclaimed.

Art. 56 (as amended October 17, 1927). The President of the Republic shall promulgate laws within one month after the date on which the law, definitively adopted, is transmitted to the Government. When the promulgation of a law has been declared urgent by a special vote of the Chamber, he must promulgate it within five days.

Art. 57 (as amended October 17, 1927). Within the time allowed for promulgating laws, the President of the Republic may request, not more than once, a further discussion of a law; this request may not be refused.

When the President of the Republic makes use of this right, he shall not be required to promulgate a law unless it has been adopted by the Chamber, after a second discussion, by an absolute majority of the lawful members of that Assembly.

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Art. 58 (*as amended October 17, 1927*). By means of a decree issued with the approval of the Cabinet, the President of the Republic may put into force any bill which has previously been declared to be urgent by the Government in the order for its transmission issued with the Cabinet's approval, and on which the Chamber has not given a decision within forty days of its communication to the Assembly.

Art. 59 (*as amended October 17, 1927*). The President of the Republic may adjourn the Chamber for a period not exceeding one month. He may not do so more than once during the same session.

Art. 60 (*as amended January 21, 1927*). The President of the Republic may not be called to account for acts performed by him in the discharge of his duties except in the case of violation of the Constitution or high treason; his responsibility in respect of offences under the ordinary law shall be subject to the ordinary law. He may not be charged with these offences or with violating the Constitution or high treason, except by the Chamber of Deputies, its decision being adopted by a majority of two-thirds of the members of the whole Assembly; he may not be tried except by the High Court provided for in Article 80. The functions of the Public Prosecutor at the High Court shall be exercised by a judge appointed each year by the Court of Cassation at a general meeting.

Art. 61. Should the President of the Republic be arraigned, he shall be suspended from his functions and the Presidency shall be vacant until the High Court has rendered its decision.

Art. 62. Should the Presidency of the Republic be vacant for any reason whatsoever, the executive power shall be temporarily exercised by the Cabinet.

Art. 63. The salary of the President of the Republic shall be fixed by law. During the President's term of office, it may not be increased or reduced.

Art. 64. The Ministers shall have the supreme direction of all the services of the State which come under their respective Departments. They shall be responsible, each in so far as he is concerned, for the application of the laws and regulations.

Art. 65. No person may be a Minister who is not a Lebanese.

Art. 66 (*as amended October 17th, 1927*). Ministers shall be

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jointly and severally responsible to the Chamber for the general policy of the Government, and individually responsible for their personal actions. The Government's general programme shall be drawn up and put before the Chamber by the Prime Minister or by a Minister acting on his behalf.

Art. 67 (as amended October 17th, 1927). Ministers shall have free access to the Chamber and shall have the right to address it whenever they so request. They may be accompanied by one or more officials from their Department.

Art. 68 (as amended October 17th, 1927). When, in accordance with Article 37, the Chamber declares that a Minister no longer possesses its confidence, that Minister shall be so required to resign.

Art. 69 (abrogated May 5th, 1929).

Art. 70. The Chamber of Deputies shall have the right to arraign Ministers for high treason or for grave dereliction of their duty. The decision to arraign a Minister may only be taken by a majority of two-thirds of the members of the whole Assembly. The civil responsibility of Ministers shall be determined by a special law.

Art. 71. A Minister who is arraigned shall be tried by the High Court.

Art. 72. A Minister shall leave office as soon as he is arraigned. The Minister's resignation shall not prevent proceedings being taken or continued against him.

PART III

(a) ELECTION OF THE PRESIDENT OF THE REPUBLIC

Art. 73 (as amended October 17th, 1927). One month at least and two months at most before the expiry of the term of office of the President of the Republic, the Chamber shall be summoned by its President to assemble for the purpose of electing the new President of the Republic.[1]

Should it not be thus summoned, the Chamber shall meet of its own accord on the tenth day preceding the expiry of the President's term of office.

Art. 74 (as amended October 17th, 1927). Should the Presidency become vacant through the death or resignation of the Presi-

[1] See the Provisional Constitutional Law of May 22, 1926, art. 2 (p. 302 below).—ED.

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dent, or for any other cause, the Assembly shall meet immediately and of its own accord to elect a new President. If the Chamber is dissolved at the time the vacancy occurs, the electoral bodies shall be convened without delay and, as soon as the elections have taken place, the Chamber shall meet as of full right.

Art. 75 *(as amended October 1926, 1927)*. When the Chamber meets to elect the President of the Republic, it shall constitute a purely electoral body and not a deliberative Assembly. It shall proceed solely, without delay or discussion, to elect the Head of the State.

(b) REVISION OF THE CONSTITUTION

Art. 76 *(as amended October 1926, 1927)*. The Constitution may be revised on the initiative of the President of the Republic.

In such a case, the Government shall submit to the Assembly a draft constitutional law.

Art. 77 *(as amended October 1926, 1927)*. The Constitution may likewise be revised on the initiative of the Chamber of Deputies. This right shall be exercised as follows:

During an ordinary session and on the proposal of at least ten of its members, the Chamber may recommend, by a two-thirds majority of its lawful members, the revision of the Constitution. The articles and questions referred to in the recommendation must be specifically enumerated and defined.

The President of the Chamber shall transmit the recommendation to the Government, requesting it to prepare a draft constitutional law.

Should the Government approve the Assembly's recommendation, it shall prepare the respective draft law and submit it to the Assembly within four months; if the Government does not agree with the Assembly, it shall return the recommendation to the latter for further discussion. Should the Assembly maintain its recommendation by a majority of three-fourths of its lawful members, the President of the Republic may either accede to the Assembly's request, or issue an order for its dissolution, and proceed to new elections within three months.

Should the new Assembly decide that revision is necessary, the

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§ 42 Government shall be obliged to carry out the Assembly's recommendation and submit the draft law within a period of four months.

(c) Procedure of the Assembly

§ 43 Art. 78 (as amended October 25, 1927). When a draft constitutional law is submitted to the Chamber, it shall, until a final vote is taken, confine itself to revision.

It may only discuss and vote on articles and questions specifically enumerated and defined in the draft submitted to it.

Art. 79 (as amended October 25th, 1927). When a draft constitutional law is submitted to the Chamber of Deputies, it may only be validly discussed and voted upon when a majority of two-thirds of the lawful members of the Chamber are present. Decisions shall be taken by a majority of two-thirds of the lawful members of the Assembly.

The President of the Republic shall be required to promulgate the constitutional law under the same conditions and in the same form as ordinary laws. He may request a further discussion of the law within the time limit for promulgation. In that case also, the decision shall be taken by a two-thirds majority.

Part IV

Various Provisions

(a) High Court

§ 44 Art. 80 (as amended October 25th, 1927). The High Court § 45 shall consist of seven deputies elected by the Chamber of Deputies and of the eight highest Lebanese magistrates in order of rank or, should their rank be equal, in order of seniority, under the presidency of the magistrate of highest rank.

The sentences of the High Court shall be rendered by a majority of six votes. The procedure to be followed by this Court shall be determined by a law.

(b) Taxation

§ 46 Art. 81 (as amended January 21st, 1927). Taxes shall be estab- § 47 lished for purposes of common utility. Taxes may only be levied in the Lebanese Republic in accordance with a uniform law which shall apply to the whole territory without exception.

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Art. 82. No tax may be modified or removed except by virtue of a law.

Art. 83. Each year at the beginning of the October session the Government shall submit to the Chamber of Deputies, for examination and approval, the general budget estimates of State revenue and expenditure for the following year. The budget shall be voted upon article by article.[1]

Art. 84 *(as amended October 17th, 1927)*. During the discussion of the budget and draft laws involving the opening of supplementary or extraordinary credits, the Chamber may not increase the credits proposed in the budget estimates or above-mentioned draft laws, either by amendment or by means of an independent proposal. The Assembly may, however, adopt laws involving further expenditure after the close of this discussion.

Art. 85 *(as amended October 17th, 1927, and January 21, 1947)*. No extraordinary credit may be opened except by a special law.

Nevertheless, should unforeseen circumstances arise making urgent expenditure necessary, the President of the Republic may, by Decree adopted with the approval of the Cabinet, open extraordinary or supplementary credits or effect any transfers of credits. These credits may not exceed 15,000 pounds per item. The measures thus decreed shall be submitted to the Chamber for ratification at the first coming session.

Art. 86 *(as amended October 17th, 1927)*. If the Chamber of Deputies has not given a final decision on the budget estimates before the expiry of the session devoted to the examination of the budget, the President of the Republic shall convene an extraordinary session to terminate at the end of January for the purpose of continuing the discussion on the budget; if at the end of this extraordinary session the budget has not been finally voted, the President of the Republic may, by a Decree adopted with the approval of the Cabinet, give effect to the budget estimates in the form in which they were submitted to the Chamber.

[1] The word "article" refers to the Head of Expenditure such as Department of Defence, Department of Finance etc. (Information through the courtesy of Professor M. F. Abboud, Beirut.)—Ed.

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642 652 The President may not exercise this right unless the budget estimates were submitted to the Chamber at least fifteen days before the commencement of the session.

During this extraordinary session, imposts, contributions, taxes, duties and other revenue shall continue to be collected as hitherto.

The expenditure for the month of January shall be based on the "provisional twelfth" of the expenditure for the previous financial year, plus the permanent additional and supplementary credits and minus the permanent reductions.

Art. 87 (as amended October 17th, 1927). The final accounts of the financial administration for the closed financial years shall be submitted to the Chamber and approved before the promulgation of the budget for the second financial year after that to which the accounts refer.

A special law shall be issued to govern the formation of an Accounting Department.*

Art. 88. No public loan or obligation involving a charge upon public funds may be contracted except by virtue of a law.

Art. 89. No concession for the exploitation of natural resources of the country or a service of public utility and no monopoly may be granted except by virtue of a law and for a limited period.

PART V

643 648 PROVISIONS RELATING TO THE MANDATORY POWER AND THE LEAGUE OF NATIONS

Arts. 90 to 92 (abrogated November 9, 1943).
Art. 93 (abrogated January 21, 1947).
Art. 94 (abrogated November 9, 1943).

PART VI

FINAL AND TRANSITORY PROVISIONS

642 *Art. 95 (as amended November 9, 1943).* As a provisional measure and for the sake of justice and concord, the communities shall be equitably represented in public employment and in the composition of the Cabinet, such measure, however, not to cause prejudice to the general welfare of the State.

* According to information received through the courtesy of Professor M. F. Abcarius, Beirut, this paragraph, which is not in the text published by the League of Nations, appears in the original Arabic text.—ED.

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Arts.96 to 100 *(abrogated January 21, 1947)*.

Art. 101. As from September 1st, 1926, the State of "Grand Lebanon" shall be known as "The Lebanese Republic" without any change or modification of any kind. 642

Art. 102 *(as amended November 9, 1943)*. All legislative provisions contrary to the present Constitution are hereby repealed.

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PROVISIONAL CONSTITUTIONAL LAW PROVIDING FOR THE POSSIBILITY OF RE-ELECTING HIS EXCELLENCY THE PRESIDENT OF THE REPUBLIC[1]

MAY 22, 1948

642 643 The Chamber of Deputies has passed and the President of the Republic hereby promulgates the abovementioned law in the following terms:

Art. 1. Notwithstanding the provisions of Article 49 of the Constitution, it shall be lawful, as an exceptional case, to re-elect the President of this Republic now in office for a second term; but it shall not be lawful to re-elect him for a third term until six years have elapsed from the date of expiration of his second term of office.

Art. 2. Notwithstanding the provisions of Article 73 of the Constitution and as an exceptional case the Chamber of Deputies shall be convened at a summons of the President of the Republic within a month from the date of the promulgation of this Constitutional Law for the purpose of electing a President of the Republic. The term of office of the elected President shall begin from the date of the termination of the term of office of the President now in office.

[1] English translation and information through the courtesy of Professor M. F. Abcarius, American University of Beirut, and Captain Lawrence J. Evans, Jr., United States Army, Beirut.—Ed.

and Sidon were roughly comparable. In a series of 1,151 complement fixation tests on miscellaneous human serums sent to the Wassermann laboratory of the University hospital, 7 per cent gave a positive reaction with Q fever antigen.

SUMMARY

Lebanon, formerly one of the French-mandated Levant states, has been an independent republic since 1943. It is a compact territory, with an estimated population in 1948 slightly in excess of 1,229,500 and a density of roughly 300 inhabitants per square mile. Unlike the surrounding Arab countries, the Christian and the Moslem elements of the population are almost equal in collective numerical strength and political importance.

Responsibility for the health of the people resides in the Ministry of Public Health of the Lebanese government, which acts in co-operation with other ministries and numerous philanthropic and religious organizations. The public health and the medical care functions of the Ministry are directed from Beirut. The city is one of the leading medical centers of the Near and Middle East, with two university medical schools and associated hospitals. In 1948, there were 73 hospitals (including sanatoria) in the country, with an aggregate capacity of 5,181 beds, or approximately 4.2 beds per 1,000 population. Eight hospitals were maintained by the Ministry of Public Health, while 56 were conducted under private or philanthropic auspices and 9 by foreign organizations. In addition to the outpatient services of the hospitals, a central polyclinic, 17 rural dispensaries and 4 tuberculosis clinics were operated by the Ministry; a polyclinic by the municipal health department in Beirut; 16 dispensaries by the Lebanese Red Cross; and various units by other organizations.

Water supplies are derived from streams, springs or wells, and are usually abundant in the coastal region but often deficient in the interior. Treated municipal water sup-

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from the plains of the interior, have found refuge in the previously almost impenetrable valleys of Lebanon, where they could worship and live unmolested from outside. The various communities which have established themselves there have usually respected one another's beliefs and ways. There have been tension and suspicion between them, but in normal times they have lived peaceably together. It is true that for generations Lebanon was torn by internal strife, but it was the strife of factions and families. It was only for a short time during the nineteenth century that it took the form of a religious war, and even then the fundamental causes were social and political rather than religious.

The Lebanese tradition was also one of autonomy. Caliphs, Crusading rulers and Ottoman Sultans alike refrained from demanding more from Lebanon than tribute and the formal recognition of their suzerainty. They left the internal affairs of the Mountain to the care of local dynasts, more often than not members of local landowning families. Often Lebanon was partitioned between more than one of these dynasts; but on occasion a ruler succeeded in uniting the whole Mountain and even in extending his sway beyond it. His rule over the Lebanese, however, was never absolute. The social organization was feudal. In principle and sometimes in fact the ruler of the Mountain was elected by the feudal lords; and although this principle was not always observed, and the principate tended to become hereditary in a great family such as the Maanis or Shihabis, even the strongest member of such a dynasty would hesitate before interfering with the estates of the great landowners. As in medieval Europe, when the political power was in weak hands the pretensions and rivalries of feudal lords led to civil war and chaos. It was not until the nineteenth century that this feudal organization began to break up.

This much is true of the whole Mountain. Among the Maronites however the tradition was enriched by several other strands. It was a tradition of clericalism. More even than other Syrian sects they were dominated by their clergy. The priests were national leaders, the centre around which turned the struggle of the community to survive and retain its identity; and the Maronite Patriarch, the only Patriarch residing in Lebanon itself, was a temporal as well as a spiritual power in the northern portion of the Mountain.

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X. POLITICAL HISTORY, 1920-1936

1

642 648 THE political organization described in the last chapter remained fundamentally unchanged until 1936. In two out of the four units the years 1920-1936 were on the whole marked by political tranquillity and administrative progress. In Lebanon, constitutional development was more rapid than in the other States. In 1925 the High Commissioner entrusted the Representative Council with the task of drafting a constitution for the State. The constitution was promulgated in May, 1926. It provided for the establishment of normal republican institutions: an elected President, who by convention was always a Christian; a responsible Ministry; an elected Chamber and a nominated Senate, which after a time were combined into a single Chamber, two-thirds elected and one-third nominated. Article 90 reserved the rights and duties of the Mandatory Power, as derived from Article 22 of the Covenant and from the Mandate; while Article 91 stated that where circumstances permitted Lebanon would apply for admission to the League of Nations, and in doing so would have recourse to the good offices of the Mandatory Power.[1] Modified in 1927 and 1929, the Constitution was suspended in 1932 because it had proved too cumbersome and expensive; the administration was carried on directly by the President of the Republic, until in 1934 the High Commissioner issued a decree provisionally re-establishing a small Chamber.

648 Some of the Moslem and other elements in Lebanon were immediately responsive to movements of opinion in the State of Syria and the rest of the Arab world, of which they considered Lebanon to form a part. But to a great extent Lebanese political life developed in its own way; it was dominated by the problems arising from the extension of the 162 frontiers in 1920. Lebanon as it existed before 1914 had 795 contained a large Christian majority; but in the Lebanese Republic established in 1920 Christians formed scarcely more than 50 per cent of the population.[2] Moreover, both Christians and Moslems were subdivided into a number of sects, the largest of which, the Maronite sect, included only 30 per cent

[1] For text of the Constitution, see F. R. and P. Duresté, *Les Constitutions Modernes* (4th edition, Paris, 1933), Volume V, pp. 706–19.
[2] See Chapter VII.

of the population. Several of these sects possessed a local predominance in some part of the Republic: the Maronites in the north, the Druzes in the south, the Sunnis in the coastal towns of Beirut, Tripoli and Saida, and the Shi'is in the Biqa' and the extreme south. The consequences which are likely to flow from such a situation are clear. The political life of the Republic was deeply affected by the struggle for equality or superiority between a number of communities, none of them so strong as to be able to dominate all the rest. Sectarian loyalties and sectarian jealousies thus continued and perhaps strengthened themselves. In addition, the domination of the spiritual leaders over the members of their communities was perpetuated; the Maronite Patriarch in particular wielded an incalculable influence over the political life of the country.

2

The importance of communal differences in Lebanon was recognized by the Mandate. Article 8 stated the necessity of guaranteeing the most complete liberty of conscience and worship; the equal treatment of all inhabitants irrespective of differences of race, religion and language; and the right of communities to maintain their own schools. Article 6 required the Mandatory Power to respect the personal status and religious interests of the different sections of the population. These guarantees were reaffirmed in the Lebanese Constitution, promulgated in 1926, Article 9 of which declared: 'Liberty of conscience is absolute. In rendering homage to the Most High, the State respects all confessions and guarantees and protects the free exercise of them, on condition that no harm is done to public order. It guarantees equally to populations belonging to every rite respect for their personal status and their religious interests.'

These guarantees were respected by the Mandatory Power to a considerable extent. For example, the traditional jurisdictions of the communal courts were maintained in some matters of personal status, although a large proportion of such matters were transferred to the civil courts. An attempt was made in 1936 to define the whole position of the communal jurisdictions. The High Commissioner issued a decree in which the historic communities were given explicit legal recognition. Their statutes were given the force of law, and

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671 the application of them placed under the protection of the law and the control of the public authorities. They were to possess corporate personality, and to be represented in their relations with the public powers by their spiritual heads. Members of the communities would be obliged to conform to the communal statutes in matters of personal status, and to the civil law where the statutes of the communities were silent. Anyone who attained his majority would be at liberty to leave his community and enter a new one; and provision was made for individuals who were not members of any religious community. This decree was opposed by religious authorities, and in 1938 a new one was issued modifying it at certain points; but this also aroused opposition from several sides.

3

641 In the political sphere the relations between the com-
642 munities were defined in the Constitution, which formulated two principles. First, all Lebanese citizens were equal before the law, possessed of the same rights and duties, and equally admissible to all public offices without any distinction (Articles 7 and 12). Secondly, Article 95 laid it down that, at least provisionally, the communities should be equitably represented in public offices and in the Ministry, in so far as that did not detract from the welfare of the State.

642 The whole political organization of the State was permeated by these principles, but by the second more than the first. It has already been mentioned that the President of the Republic was always a Christian, and with the exception of the first President a Maronite. To counter-balance this, the Prime Minister was normally a Sunni Moslem, and the other Ministries were distributed among the different communities as equitably as possible. The Chamber of Deputies was so constituted as to represent the communities roughly in proportion to their numerical strength; every district elected a number of deputies belonging to the different communities living in it, but every deputy was elected not only by his co-religionists but by the whole electorate of the district. The maintenance of the balance between the communities was an important and often the most important consideration in the making of appointments in central and local administration alike.

It is doubtful if the system could have worked even as well 649
as it did had it not been for the control and intervention of the Mandatory Power. But this again was a source of trouble. The French authorities were believed to be not altogether impartial in their efforts to hold the balance, and to show excessive favour to the Maronites and other Uniates. Thus the other communities became hostile both to France and to the Maronites. This hostility in its turn cemented the alliance between the two.

The situation just described had the approval of the majority 186
of the Maronites, who chiefly profited by it. Many of the 642
religious and secular notables of the other communities also did not disapprove of the conception of a Lebanon based upon sectarianism, either because they derived advantage from it or else because they could not conceive of any loyalty except that to the religious community. But the more thoughtful members of both the Maronite and the other sects, and especially the younger of them, saw the need for the creation of some sort of corporate consciousness or sense of solidarity. In the Sanjaq of the years before 1914 this had to some extent existed ; it had been based upon a common way of life and a common tradition of autonomy which all alike had valued. In the new Republic this was lacking and would have to be created. On the question of what form it should take, different opinions were held, corresponding in the main to the different conceptions of Lebanon expounded in Chapter VII. Those who regarded Lebanon as an asylum for religious minorities, together with those who regarded the Lebanese as a distinct people, wished to create a specific Lebanese nationalist spirit transcending communal differences ; and they wanted the enlarged Lebanon to be an independent state, protected by or in alliance with a European Power who would take an interest in it which was other than purely political. Those who looked upon Lebanon as a point from which Christian and Western influences could radiate throughout the Arab East, wished to encourage the consciousness of Lebanon as both a distinctive unity and part of a larger unity ; or them, Lebanese autonomism and Arab or Syrian nationalism were not opposed to each other but complementary, and they desired to see Lebanon, with or without the restoration of its

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15 older more restricted frontiers, a self-governing member of a
642 Syrian or an Arab federation. Those who considered
Lebanon as simply one Arab province among others wished to stimulate Arab nationalist sentiments among its inhabitants and advocated its integral incorporation in a Syrian or Arab State, with only such administrative privileges as its distinctive history made necessary.

This last conception was particularly strong among the Sunni Moslems of the coast towns, most of whom clamoured either for the inclusion of Lebanon in Syria or at least for its reduction to the frontiers it had possessed before 1914. Some of them desired this because as Moslems they resented living in a State which had a mainly Christian atmosphere; others because they were totally opposed to the Lebanese particularist idea. Yet others, while conceding the claims of the Christians, Druzes and Shi'is to special treatment, did not agree that the coastal towns had any part in the natural or historical unity of Lebanon. This sentiment was strongest in Tripoli, with an almost wholly Moslem population. It was shared by the greater part of the Arab nationalists in the State of Syria. They were willing to accept a certain carefully defined autonomy for the historic Lebanon, provided its rulers would co-operate with the Syrians in matters of common interest. They bitterly resented, however, the inclusion in Lebanon of the coastal towns, especially of Tripoli, partly on grounds of principle because they interpreted it as a move in the supposed French game of dividing and weakening the Arabs, and partly because they did not like to see Tripoli and Beirut, two of the natural ports of Damascus, in any hands except their own.

665 For the most part these differences of opinion did not embody themselves in organized parties. The parties which dominated elections and the life of the Chamber were scarcely more than loose alliances of prominent politicians, based upon common personal interest rather than common doctrine. They were usually so organized as to include representatives of all the leading sects. The most important of them were the 'Unionist' group led by Emile Edde, and the 'Constitutionalists', of whom the leading member was Bishara al-Khuri. The main division between these two groups was the personal rivalry of their leaders; but on the whole the former was more intransigent in its belief in Lebanese

of the minority problem contained in it was satisfactory. When the Treaty was ratified, it would firmly establish on a contractual basis a French influence which the too-long maintenance of an authoritarian régime might in the long run compromise.

3

In Lebanon the signature of the Franco-Lebanese Treaty was welcomed by the Maronites and some other sections of the population. The Sunnis, however, regarded it as a blow to their aim of reunion with Syria; their anger found expression in communal clashes in Beirut and elsewhere at the end of 1936. In spite of their opposition, however, steps were immediately taken to carry out the policy of the Treaty by re-establishing self-governing institutions. The Constitution of 1926 was restored in January, 1937; the Chamber met, and Khair ad-Din al-Ahdab, a Sunni, formed a Ministry. But it soon became apparent that the signature of the Treaty and the revival of constitutional forms had not affected the essential nature of Lebanese political life, which continued to be dominated by sectarian issues.

A new electoral law was passed in 1937, replacing the existing Chamber by a new and larger one, two-thirds elected on a sectarian basis and one-third nominated. The elections of November, 1937, were marked by corruption on an extensive scale; and the Chamber which resulted from them, and which remained in being until 1939, was remarkable only for the bitterness and complexity of its internal dissensions. The Ministries of the Amir Khalid Shihab and Abdullah al-Yafi succeeded those of Khair ad-Din al-Ahdab, and none of them had any notable legislative or other advance to show.

The consequence of this was a general loss of interest and faith in the constitutional system as it existed in Lebanon. It was not simply that the established leaders and the parliamentary parties, the Unionists, Constitutionalists and so on, ceased to possess even so limited a hold over public opinion as they had perhaps had; more than that, Lebanese began to ask themselves what purpose was served by the existence of a costly Parliament, filled with landowners and lawyers, wasting its time in internecine quarrels and showing no effective interest in the country's welfare. Had not Lebanon been better ruled under the simple system which had existed

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before 1914; and was it not ridiculous, as well as expensive, for so small a region to have so grandiose and complex a constitution?

As a further consequence, the movement of discontent with sectarianism was greatly strengthened, and many Lebanese, especially among the young, began to look for an alternative. At one extreme the 'Phalanges Libanaises', the party of Lebanese nationalism, received much support. So too did the 'Syrian National Party', with its doctrine of the total separation of Church and State; while the Arab Nationalists pointed to the failure of the constitutional system as a proof, if one were needed, that an independent Lebanon was too divided, artificial and unstable to exist by itself.

4

In Syria, the first steps towards the execution of the Treaty were taken immediately after the return of the Syrian delegation from Paris. Arrangements were made for the holding of Parliamentary elections; the Chamber was to consist of 86 members, 16 of them representing the religious minorities and 7 the Beduin tribes. The elections, which took place in November, 1936, resulted in an overwhelming majority for the candidates of the National Bloc; and when the Chamber met, on December 21st, its first important act was to choose Faris al-Khuri as its President, and its second to accept the resignation of Muhammad Ali al-Abid from the Presidency of the Republic and to elect Hashim al-Atasi in his place. The Ayyubi Ministry having resigned, the President entrusted the formation of a new one to Jamil Mardam Bey. All the members of his Ministry were drawn from the National Bloc.

This Ministry found no difficulty in securing the confidence of the Chamber, which unanimously approved the Treaty in December, 1936. It was formally signed by the High Commissioner and the members of the Ministry on December 22nd.

In the same month, after consultations with notables of the districts of Jebel Druze and Latakia, their annexation to the Syrian State was proclaimed. This proclamation was accompanied by special Statutes granting a measure of administrative autonomy to the two regions. Despite protests from separatist groups against the concept of a unitary Syria, the régime envisaged in these Statutes was inaugurated by the appointment in January, 1937, of two prominent members of the

political, strategic and economic reasons it was impossible to conceive of an Arab union in which they were not included; but it was clear that they could not take an effective part in that movement until they possessed self-government and effective freedom of political action. It was therefore a general Arab interest to see Syria and Lebanon possessed of self-government. More than that, if a crisis should arise over the grant of self-government, it would be vital for the other Arab countries to give what help they could to the Syrians and Lebanese, because such a crisis would be a test of the effective strength of Arab unity. In regard to Lebanon there was a special reason for going to her help: Lebanon was only half-heartedly Arab nationalist, and nothing would strengthen her Arab sentiment so much as a practical demonstration of the concern of the other Arab countries for her welfare and of the benefits she could obtain from their assistance.

4

It was in fact the Lebanese Government which first challenged the French on the issue of the transfer of powers. The new Prime Minister, Riyadh as-Sulh, made a statement of policy to the Chamber on October 7th, 1943, announcing the Government's intention to propose a revision of the Constitution. This, he said, would be purged of all provisions inconsistent with the independence and sovereignty of Lebanon, so that henceforward no authorities other than the legitimate representatives of the nation would participate in its government. During the following weeks the Government, while preparing its constitutional measure, was also engaged in controversy with the French authorities as to its right to modify the Constitution without previous agreement with the Mandatory Power. The controversy was made public by C.F.L.N. in a communiqué dated November 5th. This stated that the Committee could not recognize the validity of a unilateral revision of the Constitution; but that this decision did not affect the determination of France 'to accord Lebanon complete independence by means of negotiations conducted between the two parties in the spirit of loyal and friendly collaboration which must continue as in the past to inspire the special relations uniting Lebanon and France'. The Lebanese Government proceeded with the arrangements they

had made for submitting their measure to the Chamber, where it was carried by 48 votes to none on the 8th. The amendments affected the following Articles of the Constitution:

Article 1. References to the Mandatory Power and the League of Nations were eliminated, and Lebanon was described as 'a sovereign State'.

Article 11. French was no longer described as an official language.

Article 52. The treaty-making power was no longer to be limited by the reservations laid down in the Mandate.

Articles 90-94. These were annulled. They had provided that the exercise of the constitutional powers of Lebanese authorities should be subject to the maintenance of the Mandatory's rights and obligations; that Lebanon should eventually enter the League of Nations through the good offices of the Mandatory; that good relations would be maintained with 'the neighbouring countries under French Mandate'; that disputes liable to lead to war should be submitted to the Mandatory's arbitration; and that agreements would be reached between Lebanon and France for the representation of the former, in countries where Lebanese residents were numerous, by means of attachés in French diplomatic and consular missions.

Articles 95 and 102. References to the Mandate were omitted.

On November 10th, two days after the passage of these amendments through the Chamber, M. Helleu returned from a visit to Algiers. In the early hours of the following morning the Lebanese President and the majority of the Ministers were, by his order, arrested and removed from Beirut. A few hours later the Delegate-General issued decrees declaring the amendments null and void, suspending the Constitution, dissolving the Chamber and appointing Emile Edde—Bishara al-Khuri's unsuccessful opponent in the recent elections—as Head of the State and the Government.

These measures caused immediate and vigorous reactions, both in Lebanon and elsewhere. Throughout the next eleven days there was a general strike in the Lebanese towns; shops were shut, the ordinary newspapers ceased to appear and there were demonstrations in the streets. These led to clashes with